



PATENT: Mail Stop AF
Customer No. 22,852
Attorney Docket No. 08350.1409-00000

BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

In re Application of:)
Alan L. FERGUSON et al.) Group Art Unit: 2191
Application No.: 10/016,785) Examiner: M. Steelman
Filed: December 6, 2001) Confirmation No. 3421
For: SYSTEM AND METHOD FOR)
REMOTELY MODIFYING)
SOFTWARE ON A MACHINE)

Mail Stop AF

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

NOTICE OF APPEAL UNDER 37 C.F.R. § 41.31

Sir:

Applicants appeal to the Board of Patent Appeals and Interferences from the Examiner's decision mailed May 16, 2005.

The item(s) checked below are appropriate:

1. A Petition for extension of time to respond to the final rejection was filed on _____ extending the period for response to _____.
2. A Petition for extension of time to further extend the period for response to September 16, 2005 is enclosed together with a fee of \$120.00.
3. The Appeal Fee of \$500.00 (or \$250.00 if by small entity)
 is enclosed or is to be charged to Deposit Account No. 06-0916
4. A check for \$620.00 to cover the above fees is enclosed.

Please grant any extensions of time required to enter this response and charge
any additional required fees to our deposit account 06-0916.

Respectfully submitted,

Dated: September 12, 2005

By: 

Joseph E. Palys
Reg. No. 46,508

Finnegan, Henderson, Farabow,
Garrett & Dunner, L.L.P.
Customer No. 22,852